

REMARKS

In the Office Action mailed October 13, 2006, the Examiner rejected claims 10-15, 17, 18, 20-30, and 32-35. However, the Examiner also indicated that claims 24-30, 32 and 33 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph. As discussed below, while Applicant does not agree with the Examiner's rejections, Applicant has chosen to place the application in condition for allowance, based on the Examiner's indication of allowable subject matter. By this paper, claims 10 and 24 have been amended to more clearly set forth the recited subject matter and claims 17, 18, 20-23, 34 and 35 have been canceled. Applicant respectfully requests reconsideration of the application in view of the remarks set forth below. Applicant believes that all pending claims are now in condition for allowance.

Submission of Replacement Drawings

In view of the allowable subject matter, Applicant submits herewith formalized Figures. The "Replacement Sheets" (5) are simply formalized versions of the previously submitted drawings and therefore contain no new matter.

Rejections Under 35 U.S.C. § 112, second paragraph

The Examiner rejected claim 24-30 and 32-33 under 35 U.S.C. § 112, second paragraph, as being definite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner stated:

The cited claims provide an "if" step whereby if the second program is not verified, the first program is reloaded from the execution memory into the storage memory. However, the cited claims do not provide limitations directed towards the

result of a positive verification of the second program. As a result, the scope of the claimed invention is definite.

Office Action, page 2-3.

To further allowance of claim 24 and those claims thereon, Applicant has amended claim 24 to include subject matter directed to taking an action if the second program is verified. Specifically, claim 24 has been amended to recite, "if verified, executing the second program." However, Applicant respectfully submits that this amendment is unnecessary. More specifically, Applicant asserts that it is unnecessary for the claim to recite a consequence of verifying the second program in order to satisfy the requirements of 35 U.S.C. § 112, second paragraph. The claim is not indefinite because it fails to recite a consequence of both possible outcomes. Rather, including only a consequence if the second program is not verified, as previously recited, fully satisfies the statutory requirements under 35 U.S.C. § 112, second paragraph. Regardless, as set forth above, Applicant has chosen to amend the claim to place it in condition for allowance. In view of the amendment, Applicant respectfully requests reconsideration and allowance of claim 24, as well as claims 25-30, 32 and 33, which are dependent thereon.

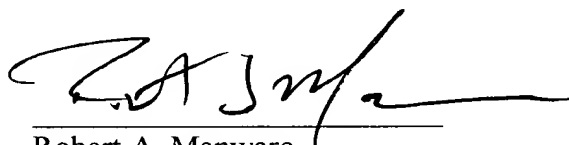
Independent Claim 10

In view of the Examiner's remarks with regard to the allowability of claim 24, after amendment to overcome the rejection under 35 U.S.C. § 112, second paragraph, Applicant has chosen to amend claim 10 to include the allowable subject matter of claim 24. In view of the amendment, Applicant respectfully requests reconsideration and allowance of claim 10, as well as claims 11-15, which are dependent thereon.

Conclusion

In view of the remarks and amendments set forth above, Applicant respectfully requests allowance of claims 10-15, 23-30, 32 and 33. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'R. A. Manware', is written over a horizontal line.

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